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FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

MAY 16 2023

SEAN F. McAVOY, CLERK
DEPUTY
SPOKANE, WASHINGTON

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

1:23-CR-2026-SAB

Plaintiff,

INDICTMENT

v.

Vio: 18 U.S.C. § 2251(a), (e)
Production of Child Pornography
(Counts 1-3)

DAVID ROGER FRANKLIN,

Defendant.

18 U.S.C. § 2252A(a)(1), (b)(1)
Transportation of Child
Pornography
(Count 4)

18 U.S.C. § 2252A(a)(5)(B), (b)(2)
Possession of Child Pornography
(Count 5)

18 U.S.C. § 2253
Forfeiture Allegations

The Grand Jury charges:

COUNT 1

On or about June 6, 2021, within the Eastern District of Washington, the
Defendant, DAVID ROGER FRANKLIN, did knowingly employ, use, persuade,

1 induce, entice, and coerce Minor A, a child born in 2016 and wearing pink pants,
2 to engage in sexually explicit conduct, as defined in 18 U.S.C. § 2256(2)(A), for
3 the purpose of producing a visual depiction of such conduct, knowing and having
4 reason to know that such visual depiction would be transported and transmitted,
5 using any means and facility of interstate and foreign commerce, and in and
6 affecting interstate and foreign commerce; such visual depiction was produced and
7 transmitted using materials that had been mailed, shipped and transported in and
8 affecting interstate and foreign commerce by any means, including by computer;
9 and such visual depiction was actually transported and transmitted, using any
10 means and facility of interstate and foreign commerce, and in and affecting
11 interstate and foreign commerce, in violation of 18 U.S.C. § 2251(a), (e).

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COUNT 2

On or about July 17, 2021, within the Eastern District of Washington, the
Defendant, DAVID ROGER FRANKLIN, did knowingly employ, use, persuade,
induce, entice, and coerce Minor A, a child born in 2016 and wearing green pants,
to engage in sexually explicit conduct, as defined in 18 U.S.C. § 2256(2)(A), for
the purpose of producing a visual depiction of such conduct, knowing and having
reason to know that such visual depiction would be transported and transmitted,
using any means and facility of interstate and foreign commerce, and in and
affecting interstate and foreign commerce; such visual depiction was produced and

1 transmitted using materials that had been mailed, shipped and transported in and
2 affecting interstate and foreign commerce by any means, including by computer;
3 and such visual depiction was actually transported and transmitted, using any
4 means and facility of interstate and foreign commerce, and in and affecting
5 interstate and foreign commerce, in violation of 18 U.S.C. § 2251(a), (e).
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8 COUNT 3

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10 Between on or about April 11, 2018, and on or about August 6, 2021, within
11 the Eastern District of Washington, the Defendant, DAVID ROGER FRANKLIN,
12 did knowingly employ, use, persuade, induce, entice, and coerce Minor A, a child
13 born in 2016 and wearing brown pants, to engage in sexually explicit conduct, as
14 defined in 18 U.S.C. § 2256(2)(A), for the purpose of producing a visual depiction
15 of such conduct, knowing and having reason to know that such visual depiction
16 would be transported and transmitted, using any means and facility of interstate
17 and foreign commerce, and in and affecting interstate and foreign commerce; such
18 visual depiction was produced and transmitted using materials that had been
19 mailed, shipped and transported in and affecting interstate and foreign commerce
20 by any means, including by computer; and such visual depiction was actually
21 transported and transmitted, using any means and facility of interstate and foreign
22 commerce, and in and affecting interstate and foreign commerce, in violation of 18
23 U.S.C. § 2251(a), (e).
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COUNT 4

On or about July 18, 2021, within the Eastern District of Washington, the Defendant, DAVID ROGER FRANKLIN, did knowingly transport and ship, using any means and facility of interstate and foreign commerce, and in and affecting interstate and foreign commerce by any means, including by computer, any child pornography as defined in 18 U.S.C. § 2256(8)(A), all in violation of 18 U.S.C. § 2252A(a)(1), (b)(1).

COUNT 5

On or about and between June 21 and June 30, 2022, within the Eastern District of Washington, the Defendant, DAVID ROGER FRANKLIN, did knowingly possess material that contained one or more images of child pornography, as defined in 18 U.S.C. § 2256(8)(A), including images of prepubescent minors and minors who had not attained twelve years of age, the production of which involved the use of a minor engaging in sexually explicit conduct, and which visual depictions were of such conduct, that had been mailed, and shipped and transported using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce by any means, including by computer, and that was produced using materials that had been mailed, and shipped and transported in and affecting interstate and foreign

1 commerce by any means, including by computer, in violation of 18 U.S.C.
2 § 2252A(a)(5)(B), (b)(2).
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4 NOTICE OF FORFEITURE ALLEGATIONS

5 The allegations contained in this Indictment are hereby realleged and
6 incorporated by reference for the purpose of alleging forfeitures.
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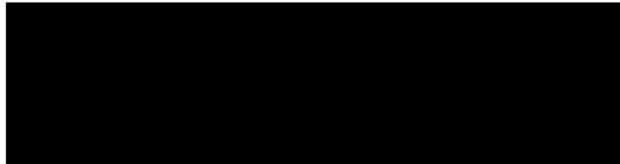
8 Pursuant to 18 U.S.C. § 2253, upon conviction of an offense or offenses in
9 violation of 18 U.S.C. § 2251(a), (e); and/or 18 U.S.C. § 2252A(a)(2)(A), (b)(1),
10 and/or 18 U.S.C. § 2252A(a)(5)(B), (b)(2), as set forth in this Indictment, the
11 Defendant, DAVID ROGER FRANKLIN, shall forfeit to the United States any
12 visual depiction described in section 2251, 2251A, 2252, 2252A, 2252B, or 2260,
13 or any book, magazine, periodical, film, videotape, or other matter which contains
14 any such visual depiction, which was produced, transported, mailed, shipped or
15 received in violation of this chapter; any property, real or personal, constituting or
16 traceable to gross profits or other proceeds obtained from such offenses; and, any
17 property, real or personal, used or intended to be used to commit or to promote the
18 commission of such offenses, or any property traceable to such property, including,
19 but not limited to:
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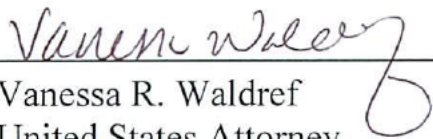
- 21 - a 2016 Reflection 5th Wheel trailer, Washington License Plate: 6944ZN,
22 VIN: 573FR3323G3304102;
23 - a Black Samsung Galaxy S7 Phone;
24 - a Blue Samsung Galaxy S10 Phone; and,
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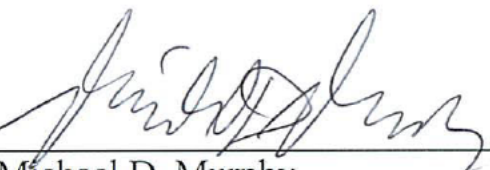
1 - a Dell Laptop S/N: 3T2GN72.

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3 DATED this 10 day of May, 2023.

4 A TRUE BILL



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10 
11 Vanessa R. Waldref
12 United States Attorney

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14 
15 Michael D. Murphy
16 Assistant United States Attorney